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**VIA ELECTRONIC MAIL**

Evan Fray-Witzer, Esq.  
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*Re: Fraserside IP v. Waterweg, et al.*

Dear Mr. Fray-Witzer:

We have received copies of your Motion to Dismiss on behalf of Waterweg, et al. and wish to comment on your affidavit that was submitted in support thereof.

When we conversed on October 14, 2011, we, as counsel for the Receiver, were unaware of the litigation that was pending in Iowa on behalf of Fraserside IP. In that call, we made the erroneous assumption that the Receiver was also not aware of the Iowa litigation, which in fact he was. We have since discussed the matter with Attorney Chad Belville and believe it is in the best interests of the company to proceed with the litigation.

Best regards,

GREENBERG TRAURIG, LLP



Thomas F. Kummer

TFK/jeh

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